POTPOURRI NOTICE

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Advanced Notice of Rulemaking and Solicitation of Comments on Revisions to Toxic Air Pollutant Ambient Air Standards, Log #AQ281 (LAC 33:III.5112) (0704Pot1)

The Louisiana Department of Environmental Quality is developing revisions to the ambient air standards (AAS) for toxic air pollutants (TAPs) in LAC 33:III.Chapter 51, and specifically found in LAC 33:III.5112.Table 51.2 (AQ281). In this advanced notice of rulemaking, the department proposes to:

- retain methyl ethyl ketone (MEK) as a state TAP on the supplemental list even though MEK has been delisted as a federal hazardous air pollutant;
- establish more stringent AAS for 16 TAPs;
- establish less stringent AAS for 6 TAPs;
- reclassify 7 TAPs; and
- list a short term (8-hour) average for the first time, in addition to a long term (annual) average, for many Class 1 TAPs.

The department requests all interested parties to submit comments on the advanced draft rule prior to formal proposal of this rule. In addition to the technical content of the document, the department is requesting comments on the estimated cost to implement this regulation as written.

Comments are due no later than 4:30 p.m., May 21, 2007, and should be submitted to James Orgeron, Office of Environmental Assessment, Plan Development Section, Box 4314, Baton Rouge, LA 70821-4314 or faxed to (225) 219-3582 or by e-mail to james.orgeron@la.gov. Persons commenting should reference this document as AQ281. If you have any questions regarding this document please contact James Orgeron at (225) 219-3578. The draft regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx. Copies of the draft regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ281.

The draft regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374.

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Title 33
ENVIRONMENTAL QUALITY

Part III. Air

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter A. Applicability, Definitions, and General Provisions

§5112. Tables—51.1, 51.2, 51.3

Table 51.1
Minimum Emission Rates Toxic Air Pollutants
Class I. Known and Probable Human Carcinogens

Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acrylamide	79-06-1	Acrylic amide	25.0
* * *			
[See prior text in Acrylonitrile – Benzene]			
Beryllium (and compounds) [1]	7440-41-7	Glucinum	25.0
~~Bis (2-chloroethyl) ether~~	~~111-44-4~~	~~Dichloroethyl ether~~	~~2,180.0~~
1,3-Butadiene	106-99-0	Biethylene	97.5
Cadmium (and compounds) [1]	7440-43-9		25.0
* * *			
[See prior text in Chromium VI (and compounds) [1][12] – Vinyl chloride]			

Table 51.1
Minimum Emission Rates Toxic Air Pollutants
Class II. Suspected Human Carcinogens and Known or Suspected Human Reproductive Toxins

Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acetaldehyde	75-07-0	Acetic aldehyde	700.0
~~Acetonitrile~~	~~75-05-8~~	~~Cyanomethane, Methyl cyanide~~	~~5,000.0~~
~~Acrolein~~	~~107-02-8~~	~~Acrylic aldhyde~~	~~25.0~~
~~Acrylamide~~	~~79-06-1~~	~~Acrylic amide~~	~~25.0~~
Allyl chloride	107-05-1	3-chloropropene	25.0
Aniline	62-53-3	Aminobenzene, Phenylamine	600.0
~~Antimony (and compounds) [1]~~	~~7440-36-0~~		~~37.5~~
~~Barium (and compounds) [1]~~	~~7440-39-3~~		~~37.5~~
Bis (2-chloroethyl) ether	111-44-4	Dichloroethyl ether	2,180.0
Biphenyl	92-52-4	1,1-biphenyl, Xenene	97.5
~~1,3 Butadiene~~	~~106-99-0~~	~~Biethylene~~	~~25.0~~
Carbon disulfide	75-15-0	Carbon bisulfide	2,400.0
* * *			
[See prior text in Carbon tetrachloride – Xylene (mixed isomers) [9]]			

Table 51.1
Minimum Emission Rates Toxic Air Pollutants
Class III. Acute and Chronic (Non-Carcinogenic) Toxins

Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acetonitrile	75-05-8	Cyanomethane, Methyl cyanide	5,000.0
Acrolein	107-02-8	Acrylic aldehyde	25.0
Acrylic acid	79-10-7	Acroleic acid, Propene acid	400.0
Ammonia [10]	7664-41-7		1,200.0
Antimony (and compounds) [1]	7440-36-0		37.5
Barium (and compounds) [1]	7440-39-3		37.5

Table 51.1 **Minimum Emission Rates Toxic Air Pollutants** **Class III. Acute and Chronic (Non-Carcinogenic) Toxins**			
Compounds	**CAS Number**	**Synonyms**	**Minimum Emission Rate (Pounds/year)**
* * *			
[See prior text in n-Butyl alcohol - Hydrochloric acid]			
Hydrofluoric acid	7664-39-3	Hydrogen fluoride	63.0
Hydrogen cyanide	74-90-8	Cyclon	800.0
~~Hydrogen fluoride~~	~~7664-39-3~~	~~Fluoric acid~~	~~63.0~~
Hydrogen sulfide	7783-06-4		1,000.0
Maleic anhydride	108-31-6	Cis-Butenedioic anhydride	70.0
Methanol	67-56-1	Methyl alcohol	20,000.0
~~Methyl ethyl ketone~~	~~78-93-3~~	~~MEK~~	~~20,000.0~~
Methyl isobutyl ketone	108-10-1	MIBK	15,000.0
* * *			
[See Prior Text in Methyl methacrylate - Zinc (and compounds) [1][12]]			

Explanatory Notes:
[1]. - [12]. …

Table 51.2 **Louisiana Toxic Air Pollutant Ambient Air Standards**				
			Ambient Air Standard	
Compounds	**CAS Number**	**Class**	**(µg/m³*) (8 Hour Avg.)**	**(µg/m³**) (Annual Avg.)**
Acetaldehyde	75-07-0	II	~~4,290.00 [13]~~	45.50 [14]
Acetaldehyde	75-07-0	II		~~45.50 [14]~~9.00 [15]
~~Acetonitrile~~	~~75-05-8~~	~~II~~	~~940.00 [13]~~	
Acetonitrile	75-05-8	~~II~~III	810.00 [14]	
Acrolein	107-02-8	~~II~~III	5.40	
Acrylamide	79-06-1	~~II~~I	7.14 [15]	0.08
Acrylic acid	79-10-7	III	140.0	
Acrylonitrile	107-13-1	I	103.10 [15]	1.47
Allyl chloride	107-05-1	II	71.40	
Ammonia [11]	7664-41-7	III	405.00 [15]	
Ammonia [11]	7664-41-7	III	640.00 [14]	
Aniline	62-53-3	II	181.00	
Antimony (and compounds) [1]	7440-36-0	~~II~~III	11.90	
Arsenic (and compounds) [1] [15]	7440-38-2	I	0.24 [15]	0.02
~~Asbestos (friable)~~	~~1332-21-4~~	~~I~~		~~+~~
Barium (and compounds) [1]	7440-39-3	~~II~~III	11.90	
Benzene	71-43-2	I		12.00 [14]
Benzene	71-43-2	I	71.43 [15]	30.00 [15]
Beryllium (and compounds) [1]	7440-41-7	I	0.05 [15]	0.04
~~Biphenyl~~	~~92-52-4~~	~~II~~	~~31.00 [13]~~	
Biphenyl	92-52-4	II	23.80~~[14]~~	
Bis (2-chloroethyl) ether	111-44-4	~~I~~II		0.30
1,3-Butadiene	106-99-0	~~II~~ I		0.92 [14]
1,3-Butadiene	106-99-0	I	104.76 [15]	2.00 [15]
n-Butyl alcohol	71-36-3	III	3,620.00 [14]	
n-Butyl alcohol	71-36-3	III	1452.00 [15]	
Cadmium (and compounds) [1]	7440-43-9	I	0.12 [15]	0.06
~~Carbon disulfide~~	~~75-15-0~~	~~II~~	~~86.00 [13]~~	
Carbon disulfide	75-15-0	II	71.40 ~~[14]~~	
Carbon tetrachloride	56-23-5	II		6.67
* * *				
[See prior text in Carbonyl sulfide – Chlorine dioxide]				
Chlorobenzene	108-90-7	II	1,100.00	
~~Chloroethane~~	~~75-00-3~~	~~II~~	~~62,900.00 [13]~~	
Chloroethane	75-00-3	II	6,290.00~~[14]~~	
Chloroform	67-66-3	II		4.30
Chloromethane	74-87-3	II		55.56 [14]

Table 51.2
Louisiana Toxic Air Pollutant Ambient Air Standards

Compounds	CAS Number	Class	Ambient Air Standard ($\mu g/m^3$*) (8 Hour Avg.)	Ambient Air Standard ($\mu g/m^3$**) (Annual Avg.)
Chloromethane	74-87-3	II		90.00 [15]
Chloroprene	126-99-8	II	857.00	
Chromium VI (and compounds) [1] [15]	7440-47-3	I	2.38 [15]	0.01
Copper (and compounds) [1]	7440-50-8	II	23.80	
~~Cresol [4]~~	~~1319-77-3~~	~~III~~	~~276.00 [13]~~	
Cresol [4]	1319-77-3	III	238.00 [14]	
Cresol [4]	1319-77-3	III	300.00 [15]	
Cumene	98-82-8	III	5,860.00	
Diaminotoluene	25376-45-8	II	181.00	
1,2-Dibromoethane	106-93-4	I		0.45 [14]
1,2-Dibromoethane	106-93-4	I	3642.86 [15]	0.17 [15]
Dibutyl phthalate	84-74-2	II	119.00	
~~1,4-Dichlorobenzene~~	~~106-46-7~~	~~II~~	~~10,700.00 [13]~~	
1,4-Dichlorobenzene	106-46-7	II	1,430.00~~[14]~~	
1,2-Dichloroethane	107-06-2	II		3.85
* * *				
[See prior text in Dichloromethane - 1,2-Dichloropropane]				
1,3-Dichloropropylene	542-75-6	II	107.00	
~~2,4-Dinitrotoluene [5]~~	~~121-14-2~~	~~II~~	~~35.70 [13]~~	
2,4-Dinitrotoluene [5]	121-14-2	II	4.76~~[14]~~	
~~2,6-Dinitrotoluene [5]~~	~~606-20-2~~	~~II~~	~~35.70 [13]~~	
2,6-Dinitrotoluene [5]	606-20-2	II	4.76~~[14]~~	
1,4-Dioxane	123-91-1	II	2,140.00 [14]	
1,4-Dioxane	123-91-1	II	107.00 [15]	
Epichlorohydrin	106-89-8	I	452.38 [15]	1.00 [15]
Epichlorohydrin	106-89-8	I		83.00 [14]
Ethyl acrylate	140-88-5	II	476.00	
Ethyl benzene	100-41-4	II	10,300.00	
~~Ethylene glycol~~	~~107-21-1~~	~~III~~	~~3,020.00 [13]~~	
Ethylene glycol	107-21-1	III	2,380.00~~[14]~~	
Ethylene Oxide	75-21-8	I	42.86 [15]	1.00
Formaldehyde	50-00-0	I	21.90 [15]	7.69
* * *				
[See prior text in Glycol ethers [6] – Hydrazine]				
Hydrochloric acid	7647-01-0	III	180.00 [14]	
Hydrochloric acid	7647-01-0	III	71.00 [15]	
Hydrofluoric acid	7664-39-3	III	61.90 [14]	
Hydrofluoric acid	7664-39-3	III	9.80 [15]	
Hydrogen cyanide	74-90-8	III	260.00 [14]	
Hydrogen cyanide	74-90-8	III	120.00 [15]	
~~Hydrogen fluoride~~	~~7664-39-3~~	~~III~~	~~61.90~~	
Hydrogen sulfide	7783-06-4	III	330.00	
Maleic anhydride	108-31-6	III	23.80 [14]	
Maleic anhydride	108-31-6	III	9.50 [15]	
~~Manganese (and compounds) [1]~~	~~7439-96-5~~	~~II~~	~~27.60 [13]~~	
Manganese (and compounds) [1]	7439-96-5	II	4.76~~[14]~~	
Mercury (and compounds) [1]	7439-97-6	II	1.19 [14]	
Mercury (and compounds) [1]	7439-97-6	II	0.24 [15]	
* * *				
[See prior text in Methanol - Methyl isobutyl ketone]				
Methyl methacrylate	80-62-6	III	9,760.00 [14]	
Methyl methacrylate	80-62-6	III	4881.00 [15]	
Naphthalene (and Methylnaphthalenes) [12]	91-20-3	II	1,190.00	
Nickel (and compounds) [1]	7440-02-0	I	23.81 [15]	0.21
Nickel (refinery dust) [1]	7440-02-0	I	35.71 [15]	0.42
* * *				
[See prior text in Nitric acid - Polynuclear aromatic hydrocarbons [7]]				
Propionaldehyde	123-38-6	III	4,290.00 [14]	
Propionaldehyde	123-38-6	III	1143.00 [15]	

Table 51.2 Louisiana Toxic Air Pollutant Ambient Air Standards				
			Ambient Air Standard	
Compounds	CAS Number	Class	(µg/m³*) (8 Hour Avg.)	(µg/m³**) (Annual Avg.)
Propylene oxide	75-56-9	I	5714.29 [15]	27.00
Pyridine	110-86-1	III	381.00 [14]	
Pyridine	110-86-1	III	74.00 [15]	
Selenium (and compounds) [1]	7782-49-2	II	4.76	
Styrene	100-42-5	II	5,070.00	
Sulfuric acid	7664-93-9	III	23.80 [14]	
Sulfuric acid	7664-93-9	III	4.76 [15]	
* * * [See prior text in 1,1,2,2 Tetrachloroethane – Trichloroethylene]				
Vinyl acetate	108-05-4	III	830.00 [14]	
Vinyl acetate	108-05-4	III	446.00 [15]	
Vinyl chloride	75-01-4	I		1.19 [14]
Vinyl chloride	75-01-4	I	61.90 [15]	11.36 [15]
Vinylidene chloride	75-35-4	II		2.00 [14]
Vinylidene chloride	75-35-4	II		200.00 [15]
Xylene (mixed isomers) [9]	1330-20-7	II	10,300.00	
Zinc (and compounds) [1] [10] [15]	7440-66-6	III	119.00	

Explanatory Notes:

* Based on one forty-second of the selected occupational exposure level, or other data determined to be superior by the administrative authority.

** Based on unit risk factors and a residual risk of one in ten thousand, or other data determined to be superior by the administrative authority.

~~┼ Refer to standards pursuant to LAC 33:III.5151.~~

[1] Includes any unique chemical substance that contains the listed metal as part of that chemical's infrastructure, excluding barium sulfate. Barium sulfate has been delisted as a toxic air pollutant and should not be included as part of the metals and compound emissions. Concentrations based on µg(x)/m³, where x is the elemental form of the metal.

[2]. - [11]. …

[12] Includes the following compounds: Naphthalene (CAS Number 91-20-3), Methylnaphthalene (CAS Number 1321-94-4), 1-Methylnaphthalene (CAS Number 90-12-0), 2-Methylnaphthalene (CAS Number 91-57-6).

~~[13] Effective until January 1, 2002.~~

~~[14] Effective starting date is January 1, 2002. Compliance with the revised ambient air standards is to be addressed in the permitting process after the effective date.~~

~~[15] Zinc chromates and zinc arsenates are Class I TAPs regulated as carcinogens under Chromium VI (and compounds) and arsenic (and compounds) TAP categories.~~

[13] Zinc chromates and zinc arsenates are Class I TAPs regulated as carcinogens under Chromium VI (and compounds) and arsenic (and compounds) TAP categories.

[14] Effective until [insert date 3 years from promulgation of this rule].

[15] Effective starting date is [insert date 3 years from promulgation of this rule]. Compliance with the revised ambient air standards is to be addressed in the permitting process after the effective date.

Table 51.3 Louisiana Toxic Air Pollutants Supplemental List*			
Compounds	CAS Number	Class	Synonyms
* * * [See prior text in Acetamide – Methyl bromide]			
Methyl ethyl ketone [5]	78-93-3	III	MEK
* * * [See prior text in Methyl hydrazine – Vinyl bromide]			

Explanatory Notes:

* – [4]. …

[5] Effective starting date is [insert date of promulgation of this rule].

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1331 (December 1995), amended LR 22:278 (April 1996), LR 24:1277 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1237 (July 1999), LR 26:2004 (September 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:**, LR 33:**.